IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl..No. 975 of 2007()

CRIME NO.73/07 OF VAIKOM POLICE STATION

: PETITIONER/ACCUSED

P.PRAKASHAN, S/O. LATE PADMANABHAN,
PUTHENPARAMBIL, EDAVATTOM P.O.,
K.S.MANGALAM VILLAGE, VAIKOM, KOTTAYAM.

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 975 OF 2007

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DATED THIS THE 20th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the sole accused in Crime No.73/07 of Vaikom Police Station for an offence punishable under sections 52A read with sections 68A, 51 and 53 of the Copyright Act, 1957 for allegedly seizing 218 compact discs from the house of the petitioner, seeks anticipatory bail.

2. Even though the learned Public Prosecutor opposed the application, having regard to the fact that the petitioner is not owning any shop or CD library and the allegedly pirated CDs were seized from his residence, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn